

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Sarina Ervin,	)	
Petitioner,	)	Case No. 1:21-cv-06064
	)	Honorable Gary Feinerman, Presiding
vs.	)	
	)	
Raymond Ervin,	)	
Respondent,	)	
	)	
and	)	
	)	
Gwendolyn Barlow,	)	
Third Party Respondent.	)	

**RESPONDENTS' MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO  
PETITIONER'S MOTION TO REMAND**

Respondents Raymond Ervin ("Raymond") and Gwendolyn Barlow ("Gwendolyn") hereby begs the Court's indulgence and due to the recent change in Respondent's Mother's health, request an extension of time to file their Response to Motion to Remand for good cause or excusable neglect pursuant to Fed. R. App. P. 4(a)(5) and states as follows:

1. That Respondent's Mother, Mrs. Clarissa E. Ervin who is 92 years old and is in skilled nursing care in Youngstown, Ohio and suffers from congestive heart failure and the associated comorbidities and depression/failure to thrive, which has been exacerbated by the facilities COVID-19 visitation protocols, the facility notified Respondents that her condition significantly deteriorated November 18, 2021. The Respondents have been actively engaged with Mrs. Ervin's physicians and care team to develop a treatment modality to stabilize her decline.
2. That Respondents have been requested to make a compassionate care visit to aid in her treatment by helping her overcome her depression, encouraging her to eat and assisting in her

care where possible. The Respondents must also make alternate arrangements for care plans with the nursing home should this be necessary.

3. The Respondents will be exposed to COVID-19 in a nursing home community environment and will be forced to quarantine in accordance with CDC guidelines subject to leaving the nursing home. Note that the facility does not require its staff to be vaccinated and has just reopened for limited visitation after being quarantined November 19, 2021.

4. Respondents respectfully request a continuance of ten (10) days beyond the original November 23, 2021, deadline and request the December 3, 2021, be the new deadline.

5. Petitioner's counsel has been notified and requested to provide an expedited response prior to filing said motion, see Exhibit 1. Subsequent to the email sent to Petitioner's counsel, there has been no response received as of November 22, 2021 at 12:32 PM.

For the foregoing reasons, Respondents Raymond Ervin and Gwendolyn Barlow respectfully request that the Court grant their Motion For Extension Of Time To File Response To Petitioner's Motion to Remand.

Dated: November 22, 2021

By: s/Raymond N. Ervin  
s/ Gwendolyn M. Barlow

Raymond N. Ervin, Pro Se  
Gwendolyn M. Barlow, Pro Se  
331 Springside Lane  
Buffalo Grove, IL 60089  
(847) 404-4375  
ervinpatentlaw@gmail.com  
(847) 204-0416  
[barlowervin727@gmail.com](mailto:barlowervin727@gmail.com)

**CERTIFICATE OF SERVICE**

This is to certify that the foregoing RESPONDENTS MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO MOTION TO REMAND, was e-filed through ECF and electronically served on November 22, 2021 to:

Matthew Elster  
161 North Clark Street, Suite 3000  
Chicago, IL 60601  
mdelster@beermannlaw.com

*Attorney for Petitioner*